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July 20, 1998

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: A. TANAKA et al.  
Serial No.: 08/895,886  
Filed: July 17, 1997  
For: DATA RECONSTRUCTION METHOD AND SYSTEM  
WHEREIN TIMING OF DATA RECONSTRUCTION IS  
CONTROLLED IN ACCORDANCE WITH CONDITIONS  
WHEN A FAILURE OCCURS (As Amended)  
Group: 2785  
Examiner: H. Nguyen

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TERMINAL DISCLAIMER

Assistant Commissioner for Patents  
Washington, D.C. 20231

July 20, 1998

Sir:

Hitachi, Ltd., having a place of business at 6, Kanda Surugadai 4-chome, Chiyoda-ku, Tokyo 101, Japan, is the owner of the entire interest in application Serial No. 08/895,886 filed on July 17, 1997, for DATA RECONSTRUCTION METHOD AND SYSTEM WHEREIN TIMING OF DATA RECONSTRUCTION IS CONTROLLED IN ACCORDANCE WITH CONDITIONS WHEN A FAILURE OCCURS, which is a continuation of application Serial No. 08/534,841 filed on September 27, 1995, which is a continuation of application Serial No. 07/859,850 filed on March 30, 1992, now U.S. Patent No. 5,495,572 issued on February 27, 1996.

An assignment assigning all rights in connection with grandparent application Serial No. 07/859,850 from the applicants to Hitachi, Ltd., was filed for recording in the

U.S. Patent and Trademark Office on March 30, 1992, and was recorded on Reel 6075 at Frame 602.

Hitachi, Ltd., hereby disclaims all that portion of the term of any patent issuing from application Serial No. 08/895,886 subsequent to the expiration date of the full statutory term of U.S. Patent No. 5,495,572, and hereby agrees that any patent issuing from application Serial No. 08/895,886 shall be enforceable only for and during such time as U.S. Patent No. 5,495,572 and any patent issuing from application Serial No. 08/895,886 are commonly owned.

Hitachi, Ltd., does not disclaim any terminal part of any patent issuing from application Serial No. 08/895,886 prior to the expiration date of the full statutory term as presently shortened by any terminal disclaimer of U.S. Patent No. 5,495,572 in the event that U.S. Patent No. 5,495,572 later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole, is terminally disclaimed under 37 CFR 1.321(a), has all claims cancelled by a reexamination certificate, or is otherwise terminated prior to the expiration of its statutory term, except for the separation of legal title stated above.

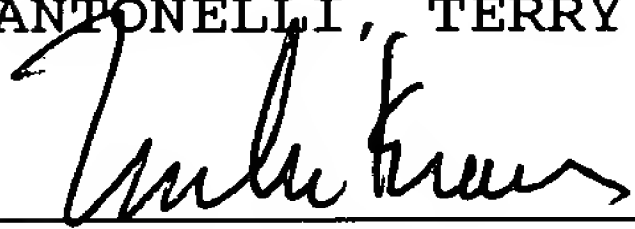
This disclaimer is to be binding with respect to any patent issuing from application Serial No. 08/895,886 and is binding upon grantees, their successors, or assignees of any

interests with respect to any patent issuing from application  
Serial No. 08/895,886.

The undersigned is an attorney of record.

ANTONELLI, TERRY, STOUT & KRAUS, LLP

Date: July 20, 1998

  
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